

2020 ELECTIONS CALENDAR



WEST VIRGINIA SECRETARY OF STATE'S OFFICE
ELECTIONS DIVISION

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2020 ELECTIONS IN WEST VIRGINIA

PRIMARY ELECTION – June 9, 2020

GENERAL ELECTION – November 3, 2020

Races on the ballot in 2020:

President of the United States	County Commission
U.S. Senate	Prosecuting Attorney
U.S. House of Representatives	Sheriff
Governor	Assessor
Secretary of State	Magistrate
Auditor	Surveyor
Treasurer	Board of Education
Commissioner of Agriculture	Conservation District Supervisor
Attorney General	Greater Huntington Park & Recreation District
Justice of the Supreme Court	Delegate to the National Convention (At-Large)
State Senate	Delegate to the National Convention (Congressional District)
House of Delegates	

COMPUTATION OF TIME

"If any applicable provision of this code or any legislative rule or other administrative rule or regulation . . . designates a particular date on, before or after which an act, event, default or omission is required or allowed to occur, and if the particular date designated falls on a Saturday, Sunday, legal holiday or designated day off, then the date on which the act, event, default or omission is required or allowed to occur is the next day that is not a Saturday, Sunday, legal holiday or designated day off."

- W. Va. Code § 2-2-1(e)

"When a proceeding is directed to take place or any act to be done on any particular day of the month or within any period of time prescribed or allowed . . . if that day or the last day falls on a Saturday, Sunday, legal holiday . . . the next day that is not a Saturday, Sunday, legal holiday . . . shall be deemed to be the one intended"

- W. Va. Code § 2-2-2(a)

"Accordingly, in the opinion of the Attorney General, where the last day upon which an act must, or may, be done falls upon a Sunday, the Monday following should be considered as the last day upon which the act can be done."

- See Report and Opinions of the Attorney General, pages 216-17 (1941)

<p>April 21, 2020</p>	<p>Election Officials and Alternates Appointed No later than 49 days before the election, the County Commission shall appoint the election officials for each designated election board as follows:</p> <ol style="list-style-type: none"> 1. Eligible persons nominated and timely filed by the executive committees as poll clerks, election commissioners; 2. Additional persons selected by the County Commission to serve as election commissioners; and 3. Persons to fill any positions for which no nominations were filed. <p>The County Commission shall also appoint emergency absentee voting commissioners <i>(at the same meeting or at a subsequent meeting)</i>.</p> <p>The County Commission shall:</p> <ol style="list-style-type: none"> 1. Appoint the alternates nominated by the executive committees; 2. Appoint additional alternates; and 3. Determine the number of persons who may be instructed to attend training as alternates. <p>- W. Va. Code §§ 3-1-30, 3-3-5c</p>
<p>April 21, 2020</p>	<p>Write-In Candidate Filing Deadline for Election of ONLY Nonpartisan offices:</p> <ol style="list-style-type: none"> 1. Justice of the Supreme Court 2. Circuit Judge (unexpired) 3. Board of Education Member 4. Soil Conservation District Supervisor <p>Eligible persons who seek to be elected by write-in votes to an office which is to be filled at the Primary Election shall file a write-in candidate's certificate of announcement by the 49th day before the Primary Election.</p> <p>- W. Va. Code § 3-6-4a</p>
<p>April 24, 2020</p>	<p>46 days before Primary Election</p>

<p>April 24, 2020</p>	<p>Delivery of Absentee Ballots to County Clerk The board of ballot commissioners are to have the official absentee ballots printed and delivered to the County Clerk 46 days before the election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-11(a)
<p>April 24, 2020 – June 3, 2020 (June 4, 2020 if applications are received on June 3, 2020)</p>	<p>Mail Absentee Ballots No later than the 46th day before the election, the County Clerks must mail absentee ballots to voters from whom they have received applications. Following the 46th day before the election, ballots must be sent within one day of receiving applications.</p> <p>Upon acceptance of a completed application, determine whether the requirements have been met and transmit absentee ballot(s), envelopes, instructions, and any other supplies required for voting the ballot. If determined the requirements have not been met, transmit balloting materials and give notice to the voter that the ballot will be provisional.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-5
<p>April 25, 2020</p>	<p>Approved Voter Registration Program for Eligible High School Students No later than 45 days before the election the County Clerk shall conduct an approved program of voter registration services for eligible high school students at each high school within the county.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-8(b)(2)
<p>April 28, 2020 (Deadline depends upon date of appointment)</p>	<p>Notice Mailed to Election Officials Within 7 days following appointment, county commission notifies, by first-class mail, all election commissioners, poll clerks and alternates of their appointment, including a response form.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-30(h)
<p>May 5, 2020 (Deadline depends upon date of appointment)</p>	<p>Election Officials Respond to Notification from County Clerk confirming ability to serve. When an election official or alternate fails to return the response notice (or otherwise confirm to the County Clerk his or her agreement to serve within the required time, the position shall be considered vacant and the County Clerk shall proceed to fill the vacancies within 14 days following the date of appointment.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-30(i)

<p>May 10, 2020 (within 30 days of election)</p>	<p>Instructional Program for Election Officials Within 30 days prior to election, County Clerk conducts instructional program using training materials produced by Secretary of State, to all election officials, explaining and illustrating procedures for conducting elections, duties of the various election officials and methods of voting.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-46
<p>May 14– 20, 2020</p>	<p>Publish Sample Ballot for Early Voting Not more than 26 nor less than 20 days preceding the Primary Election, Ballot Commissioners publish sample official primary ballot for each party, nonpartisan candidates, and public questions as follows:</p> <ol style="list-style-type: none"> 1. For counties in which 2 or more qualified newspapers publish a daily newspaper, publish a Class I-0 legal advertisement in the 2 qualified daily newspapers of different political parties within the county having the largest circulation 2. For counties having no more than 1 daily newspaper, or having only 1 or more qualified weekly newspapers, publish sample as Class I legal advertisement in qualified newspaper having largest circulation <ul style="list-style-type: none"> - §§ 3-5-10, 59-3-1 <i>et seq.</i>
<p>May 19, 2020 (Deadline)</p>	<p>Voter Registration Deadline Voter registration for an election shall close 21 days before the election, or on the 1st day thereafter which is <u>not</u> a Saturday, Sunday or legal holiday.</p> <p>Completed application of eligible voter for registration, transfer, change of political party or other change submitted by the close of voter registration will be effective for any subsequent election, if:</p> <ol style="list-style-type: none"> 1. Received at office of the County Clerk, no later than the hour of the close of registration; 2. Accepted by a designated agency or motor vehicle licensing office no later than the close of registration; 3. Accepted through a registration outreach program and received by the County Clerk no later than the close of registration; 4. Addressed to the appropriate County Clerk and postmarked by the postal service no later than the date of the close of registration;

<p>May 20 - June 2, 2020</p>	<p>5. Accepted through an approved electronic voter registration system and received no later than the close of business on the final day of registration; or</p> <p>6. The verification notice mailed to the applicant is not returned as undeliverable</p> <p>Voters must change party affiliation by close of registration in order to participate in that party's Primary Election.</p> <ul style="list-style-type: none"> - W. Va. Code §3-2-6 <p>Inspection of ballots, electronic poll books and vote recording devices.</p> <p>1 inspection can be done for Early Voting and Election Day materials <i>or</i> they can be done separately if Election Day materials are not ready. <i>Note: Vote recording devices used for Early Voting may only be used on Election Day if they are retested.</i></p> <p>Preparation of materials is completed and Notification given to County Commission and Ballot Commissioners no later than 7 days before election (Early Voting = May 20; Election Day = June 2).</p> <p>Convene County Commissioners and Ballot Commissioners no later than 5 days before election. [Early Voting = May 22; Election Day = June 4).</p> <p>Class I-0 public notice regarding place and time of inspection is published no later than 3 days before inspection.</p> <ul style="list-style-type: none"> - W. Va. Code §§3-4A-13, 59-3-1 <i>et seq.</i>
<p>May 20 – June 8, 2020</p>	<p>Authorized Late Voter Registration Accepted from Certain Uniformed and Overseas Voters</p> <p>Between the 20th day before the election and 1 day before the election, members of the uniformed services and overseas citizens whose employment supports national security, who have been discharged 60 days preceding an election, and spouses/dependents residing with said individuals, may register to vote in person at the County Clerk's Office. Appropriate documentation/affidavit must be presented as required by law.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-6a; - CSR § 153-44-1 <i>et seq.</i>

<p>May 22, 2020</p>	<p>Accept Voter Registration Card by Mail without Postmark No later than 3 days following the close of registration is the last day an application for registration may be accepted if addressed to the appropriate County Clerk and received by mail with the postmark missing or illegibility.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-6(b)(2)(A)
<p>May 26, 2020 (deadline)</p>	<p>Correct Incomplete Applications for Voter Registrations Within 4 business days after the close of registration, County Clerk may correct applications for voter registration containing incomplete information if applicant provides the required information.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-6(b)(1)
<p>May 25 – May 29, 2020</p>	<p>Primary Report (New) SB 622 is in effect June 7, 2019; this bill requires all candidates participating in the primary election to file the Primary Report in addition to all Quarterly Reports. Reports due on the 15th day preceding the primary election and filed within 4 days thereafter</p> <p>This report covers transactions from April 1, 2020 through May 24, 2020.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-8-5, 3-8-5(b); - Code of State Rules (CSR) § 146-3-8 <p>Candidates, treasurers and financial agents submit reports to the Secretary of State, County Clerk or Municipal Recorder, determined by which office is sought. A detailed itemized statement is submitted setting forth all activity from the previous report or organization date.</p>
<p>May 27 – June 6, 2020</p>	<p>Early Voting In Person Beginning on the 13th day and continuing through the 3rd day before the election, voter may vote an early ballot at the county courthouse, an annex or a designated community voting location during normal business hours; additionally, early voting must be conducted between 9 a.m. and 5 p.m. on the last 2 Saturdays before the Primary Election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-3

<p>June 2, 2020</p>	<p>Public Test of Tabulating Equipment 1 week prior to the start of the count of the votes, all automatic tabulating equipment must be tested to ascertain that it will accurately count the votes for all offices and on all measures.</p> <p>Notice must be provided <u>no more than 2 weeks</u> but <u>not less than 48 hours</u> before test by publication of Class I-0 legal advertisement. (Notice must be provided May 19 – June 31)</p> <p>After processing pre-audited ballots, the County Commission certifies the equipment to be free from error as determined by the test. Testing material and certification is to be placed in a sealed container until the start of canvass.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-4A-26, 59-3-1 <i>et seq.</i>
<p>June 2 – 8, 2020</p>	<p>Instructional Program Make-Up Session Within last 7 days before election, County Clerk conducts make-up session for election officials unable to attend regular session.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-46(c)
<p>June 2 -8, 2020</p>	<p>Publish Official List of Candidates or Sample Ballot for Election Day On the last day on which a newspaper is published immediately preceding the Primary Election, Ballot Commissioners publish the official list of candidates and issues, or the sample ballot, as follows:</p> <ol style="list-style-type: none"> 1. For counties in which 2 or more qualified newspapers publish a daily newspaper, publish as Class I-0 legal advertisement in the 2 qualified daily newspapers of different political parties within the county having the largest circulation; or 2. For counties having no more than 1 daily newspaper, or having only 1 or more qualified weekly newspapers, publish as Class I legal advertisement in qualified newspaper having largest circulation. <ul style="list-style-type: none"> - W. Va. Code §§ 3-5-10, 59-3-1 <i>et seq.</i>
<p>June 2 - 9, 2020 (Deadline: Noon on June 9)</p>	<p>Receive Requests for Emergency Absentee Ballot No earlier than 7 days preceding the election and no later than noon of Election Day, a voter or a member of the voter’s immediate family (or in counties with an extended policy, a staff member of a nursing home) may request a ballot for voting emergency absentee. A voter may be eligible to receive an emergency absentee ballot in the following circumstances:</p>

<p>June 3, 2020</p>	<ul style="list-style-type: none"> • Voter in the hospital on Election Day; • Replacement poll worker appointed after the period for Early Voting; • Voter in licensed health care facilities within an adjacent county or within 35 miles of the county seat (county policy required); • Voter in nursing home within the county if he or she has resided there for a period of less than 30 days (county policy required); or • Voter becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, or immobility due to advance age or other medical reason (county policy required). <p>- W. Va. Code §§ 3-3-1, 3-3-5c(d)</p> <p>Deadline for Absentee by Mail Application Not later than the 6th day preceding the election, last day to receive application for absentee ballot by mail. Ballot shall be mailed no later than following day.</p> <p>- W. Va. Code § 3-3-5(b)(1), 3-3-5(e)(1)</p>
<p>June 6, 2020 (Deadline)</p>	<p>Deadline for Early Voting in Person Last day to vote an early ballot in person (occurs on a Saturday)</p> <p>- W. Va. Code § 3-3-3</p>
<p>June 8, 2020</p>	<p>Deadline to Hand-Deliver Absentee Ballot to the Clerk’s Office No later than 1 day preceding the election, the last day for County Clerk to accept hand delivered absentee ballot by mail. No person may personally deliver more than 2 absentee ballots in any election.</p> <p>- W. Va. Code § 3-3-5(k)</p>
<p>June 8, 2020</p>	<p>Election Commissioners Receive Election Supplies No later than 1 day before Primary Election, the last day on which election commissioner(s) of each precinct, as designated by County Commissioners, shall receive necessary election supplies from County Clerk.</p> <p>- W. Va. Code §§ 3-1-24(a), 3-4A-13(f)</p>

<p>June 9, 2020</p>	<p>Post Summary Returns Upon completion of the count, the returns are to be open to the public by posting a summary of the returns as have been tabulated at the central counting center.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-4A-27(e)
<p>June 10, 2020</p>	<p>Absentee Ballots without Postmark Accepted 1 day after Election Day, absentee ballots without postmark are accepted if delivered by the US Postal Service or other express shipping service and received by the County Clerk, no later than the day after Election Day. (Does not apply to UOCAVA ballots.)</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-5(g)(1)
<p>June 15, 2020</p>	<p>Absentee Ballots Postmarked by Election Day Accepted No later than the hour at which the board of canvassers convenes to begin the canvass, absentee ballots by mail shall be accepted if ballot bears a postmark of the US Postal Service dated no later than Election Day and the ballot is received by the County Clerk, within the required time. Absentee ballots from military are accepted without postmark if received prior to start of canvass.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-3-5(g)(2) 3-5-17
<p>June 15, 2020</p>	<p>Canvass Returns On the 5th day, except for Sundays, after Primary Election, County Commission, as the board of canvassers, meets to canvass Primary Election returns. The board of canvassers shall meet from day to day adjourning no longer than is absolutely necessary until the canvass is complete.</p>
<p>Deadline depends on date canvass is completed in all jurisdictions.</p>	<p>Declare Results Upon completion of canvass, publicly declare the election results and wait 48 hours (do not count Saturdays, Sundays and legal holidays) to allow for recount requests to be submitted.</p> <p><i>Multi-county races must wait until the last county declares results for the 48 hours to begin. Notice will be provided by the Elections Division on the start times.</i></p>

<p>Deadline depends on date results are declared</p>	<p>Recount Recount request must be made within 48 hours of the declaration of results. If a candidate is on the ballot in more than one county, the 48 hours begins after the final county’s board of canvassers declares the results. A candidate may demand a recount.</p> <p>Note: If a recount has been demanded, the board of canvassers shall have 48 hours in which to send notice to all candidates who filed for the office in which a recount has been demanded. Such recount shall be set for no sooner than 3 days after serving the notice. After the notice is served, candidates so served shall then have an additional 24 hours in which to demand a recount of precincts not requested to be recounted by candidate originally requesting recount. The recount is open to the public. However, only those authorized may handle election materials.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-5-17, 3-6-9
<p>Deadline depends on date results are declared and recounts</p>	<p>Certify Results 48 hours after the declaration, CERTIFY election results in races where a recount was NOT requested.</p> <ul style="list-style-type: none"> - W. Va. Code §§3-5-17, 3-6-9, 3-6-10
<p>Deadline depends on date of election certification</p>	<p>Contest Primary Election Within 10 days after the results of election are certified, candidate may contest the Primary Election before the County Commission in which any primary procedures, practices or results may be in issue. A contest is a legal proceeding. Legal counsel <i>should</i> (but not mandatorily) be obtained by parties involved.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-5-20, 3-7-1, 3-7-6
<p>June 30, 2020 (suggested; July 9 deadline)</p>	<p>Transmit Certificates of Results The certification of the results of the Primary Election should be sent to Secretary of State as soon as possible but no later than 30 days after the primary.</p> <p>Board of canvassers transmits original certificates of election results for all offices to be filled by the voters of more than one county to the Secretary of State, along with copies of certificates of results for county candidates.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-5-17, 3-5-18

<p>Upon certification of final results</p> <p>July 1, 2020 (for results certified after July 1, 2020, terms will begin upon certification of the final results)</p> <p>July 1 – July 7, 2020</p>	<p>Terms of Conservation District Supervisors Begin</p> <p>New Soil Conservation District supervisors elected take office.</p> <ul style="list-style-type: none"> - §19-21A-6 <p>Terms of Board of Education Begin</p> <p>New members of the Board of Education and Soil Conservation District elected to full terms and un-expired terms take office.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 18-5-1b <p>2nd Quarter Report (New) SB 622 is in effect June 7, 2019; this bill requires quarterly reports.</p> <p>Reports due on July 1 of each year and filed within 6 days thereafter</p> <p>This report covers transactions from May 25, 2020 through June 30, 2020.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-8-5, 3-8-5(b); - Code of State Rules (CSR) § 146-3-8 <p>Candidates, treasurers and financial agents submit reports to the Secretary of State, County Clerk or Municipal Recorder, determined by which office is sought. A detailed itemized statement is submitted setting forth all activity from the previous report or organization date.</p>
<p>GENERAL ELECTION DATES</p>	
<p>July 6, 2020 (Deadline)</p>	<p>Notice of Precinct Change</p> <p>At least 1 month before any precinct changes, the last day on which to complete Class II-0 legal notice of County Commission’s intention to change, divide or consolidate voting precincts for the General Election; notice published once each week for 2 successive weeks in 2 qualified newspapers of opposite politics.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-1-7(b), 59-3-1 <i>et seq.</i>
<p>August 3, 2020</p> <p>(NOTE: actual deadline in Code is August 1. However, that deadline</p>	<p>Deadline for No Party Organization/Unaffiliated Candidates to File Nominating Petitions, Certificate of Announcements and Pay Filing Fee</p>

<p>falls on a Saturday, so the deadline is extended to the next business day per W. Va. Code § 2-2-2)</p>	<p>No later than August 3 preceding the General Election, certificates nominating candidates to be file no later than August 3, 2020 with the Secretary of State or County Clerk, depending upon the office being sought.</p> <p>If nomination certificate is not timely filed and filing fee not timely paid, they may not be accepted by the filing office.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-5-23, 3-5-24
<p>August 3 - 18, 2020</p>	<p>Special Filing Period for Board of Education Vacancy Occurring after Close of Filing for Primary Election No earlier than the 1st Monday in August and no later than 77 days before the General Election, candidate filing period for unexpired term of Board of Education to fill vacancy which occurs after the close of the Primary Election candidate filing but not later than 84 days before the General Election. The certificate of announcement and filing fee shall be remitted to the County Clerk no earlier than August 1 and no later than 77 days before the General Election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-5-19(c)
<p>August 5, 2020</p>	<p>Notice of Emergency Precinct Change In the case of an emergency <u>and</u> with the approval of the Secretary of State, last day on which to complete notice of County Commission’s intention to change, divide or consolidate voting precincts is at least 1 month before any precinct boundary change. Notice must be published once each week for 2 successive weeks in 2 qualified newspapers of opposite politics as Class II-0 legal ad.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-1-7, 59-3-1 <i>et seq.</i>
<p>August 5, 2020 (Deadline)</p>	<p>Deadline for Ordering Precinct Change Last day for County Commission (after at least a 1 month notice) to enter an order changing the boundaries of any precinct into 2 or more precincts, or consolidate 2 or more precincts into 1, or to change the location of the polling place whenever the public convenience may require it. Within 15 days after such order is issued, the County Commission shall publish the order as a Class II-0 legal advertisement.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-1-7(b), 59-3-1 <i>et seq.</i>
<p>August 5, 2020</p>	<p>Adopt Policy Extending Emergency Absentee Voting Last day County Commission may adopt policy extending the emergency absentee voting procedures to:</p>

<p>August 5, 2020</p>	<ol style="list-style-type: none"> 1. Hospitals or other duly licensed health care facilities within an adjacent county or within 35 miles of the county seat; and 2. Nursing homes within the county; or 3. A voter who becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, immobility due to advance age or other medical reason. <p>County Commission must adopt this policy 90 days before the election and a copy of this policy must be filed with the Secretary of State.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-5c(a) <p>Petition for Suspension of Election Official Petition seeking suspension of an election official must be filed with County Commission at least 90 days before an election. The petition must be signed by 25 registered voters of the precinct where election official last served. Upon presentation of evidence of listed grounds, County Commission may, upon majority vote, suspend the eligibility to serve as an election official for 2 years.</p> <p>County Commission may, on its own motion, suspend an election official for specific causes for 4 years.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-28
<p>August 8, 2020</p>	<p>Report Failure to File Financial Statement to Prosecuting Attorney 60 days after Primary Election the Secretary of State and the County Clerk is to give notice of the failure of any candidates, agents or treasures to file required, detailed, itemized financial statements of transactions connected with Primary Election to Prosecuting Attorney where candidate resides.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-8-7(a) <p>Written notification to candidates/committees that failed to file financial statements 60 days after the Primary Election), a written notice is to be sent by certified mail to candidates/committees that failed to file the required finance reports relating to the Primary Election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-8-7(e) - Code of State Rules (CSR) § 151-51 <i>et seq.</i>
<p>August 11, 2020</p>	<p>84 days before General Election Day</p>

<p>August 11, 2020 (Deadline)</p>	<p>Notice of Number of Election Officials The County Commission designates the number and type of election boards for the various precincts and gives written notice to the county executive committees of the 2 major political parties stating the number of nominations which may be made for poll clerks and commissioners.</p> <p><i>Recommended that notice of the number of emergency absentee voting commissioners needed is also provided at this time.</i></p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-29
<p>August 11, 2020</p>	<p>Last Day for Candidate to Withdraw from General Election The last day for candidate to file a notarized statement of withdrawal with the same officer with whom the certificate of announcement was filed must be provided to the County Clerk No later than 84 days before the General Election</p> <ul style="list-style-type: none"> - W. Va. Code § 3-5-11(b)(2)
<p>August 11, 2020</p>	<p>Disqualification for failure to file Primary Financial Statements Late financial statements must be received in the filing office by close of business on this day. Failure to file is an automatic disqualification and the candidate's name is removed from the ballot. If disqualified, the executive committee may appoint according to the provisions of §3-5-19(a)(4).</p> <ul style="list-style-type: none"> - W. Va. Code § 3-8-7(c)(1)
<p>August 11 – October 28, 2020</p>	<p>Accept Applications for Mail-in Absentee Ballot from Eligible Voters Period begins during which an eligible voter may submit an absentee ballot application, completed in his or her own handwriting, to the County Clerk in person, by mail, by fax or by email. Application must be received no earlier than 84 days preceding the General Election and not later than 6 days preceding General Election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-5(b)(2)
<p>August 17, 2020 (Deadline for committee)</p>	<p>Executive Committee or Chair Appointment to Fill Vacancy in Nomination (For committee -- After Primary Election, but not later than 78 days preceding General Election.) Last day an executive committee may fill vacancy in nomination if the vacancy occurs 84 days before the General Election and is caused by any of the reasons below:</p>

<p>August 19, 2020 (Deadline for chair)</p>	<ul style="list-style-type: none"> • Candidate automatically disqualified due to failure to file campaign finance reports • Candidate determined disqualified by State Executive Committee • Incapacity of candidate • Withdrawal of a candidate • Vacancy in certain partisan offices not on the General Election ballot (filing fee required) <p>(Not later than 2 days following the deadline for the executive committee)</p> <p>If appropriate political executive committee has not filled vacancies in its General Election nominations, according to the provisions of this section such vacancies may be filled by the committee's chairman by filing with the proper officer.</p> <p>- W. Va. Code § 3-5-19</p>
<p>August 19 – 24, 2020</p>	<p>Secretary of State Certifies Names Secretary of State certifies to each County Clerk the names of each political party's nominees entitled to be placed on the General Election ballot between last day to fill vacancies in nomination and the drawing to determine ballot order</p> <p>- W. Va. Code §§ 3-5-18</p>
<p>August 25, 2020</p> <p>August 25, 2020</p>	<p>70 days before the General Election</p> <p>Drawing for Order of Names on Ballot (On the 70th day next preceding the date of the General Election)</p> <p>For all ballot systems, drawing by lot shall be conducted at 9 a.m. in the office of the County Clerk to determine the order of names of candidates for any office or division for which more than one is to be elected.</p> <p>- W. Va. Code § 3-6-2(d)(2)</p>
<p>August 25, 2020</p>	<p>Estimate Number of Absentee Ballots No later than 70 days before the election the County Clerk estimates number of official absent and early voter's ballots required.</p> <p>- W. Va. Code § 3-3-11(a)</p>

<p>August 25, 2020</p>	<p>Election Official Nominations Filed No later than 70 days before the General Election, each county executive committee, or its chairman or secretary on its behalf, shall file in writing with the County Commission a list of persons nominated by a majority vote of the committee at a duly called meeting, as election officials and the positions for which they are designated, and those persons nominated as alternates. The number of alternates for each party may not exceed the number of precincts in the county.</p> <p>- W. Va. Code §3-1-30</p>
<p>September 4, 2020</p> <p>September 4, 2020</p>	<p>60 days before General Election</p> <p>Emergency Order to Change Precincts In case of an emergency and with the permission of the Secretary of State, the County Commission may enter an order to consolidate, divide or change the boundaries of a precinct within a county no later than 60 days before the election.</p> <p>Within 15 days after such order is issued, the County Commission shall publish the order as Class II-0 legal advertisement.</p> <p>W. Va. Code §§ 3-1-7, 59-3-1 <i>et seq</i></p>
<p>September 8, 2020</p> <p>September 8, 2020</p>	<p>56 days before General Election</p> <p>Notice of Number of Sets of Emergency Absentee Voting Commissioners Needed</p> <p>56 days before the General Election, the County Clerk notifies the County Commission of the number of sets of emergency absentee ballot commissioners necessary.</p>
<p>September 15, 2020</p> <p>September 15, 2020</p>	<p>49 days before the General Election</p> <p>Election Officials and Alternates Appointed No later than 49 days before the election, the County Commission shall appoint the election officials for each designated election board as follows:</p> <ol style="list-style-type: none"> 1. Eligible persons nominated and timely filed by the executive committees as poll clerks, election commissioners; 2. Additional persons selected by the County Commission to serve as election commissioners; and

	<p>3. Persons to fill any positions for which no nominations were filed.</p> <p>The County Commission shall also appoint emergency absentee voting commissioners <i>(at the same meeting or at a subsequent meeting)</i>.</p> <p>The County Commission shall:</p> <ol style="list-style-type: none"> 1. Appoint the alternates nominated by the executive committees; 2. Appoint additional alternates; and 3. Determine the number of persons who may be instructed to attend training as alternates. <p>- W. Va. Code §§ 3-1-30, 3-3-5c</p>
<p>September 15, 2020</p>	<p>Write-In Candidate Filing Deadline for General Election Eligible persons who seek to be elected by write-in votes to an office which is to be filled at the General Election shall file a write-in candidate's certificate of announcement by the 49th day before the General Election.</p> <p>- W. Va. Code § 3-6-4a</p>
<p>September 18, 2020</p>	<p>46 days before the General Election</p>
<p>September 18, 2020</p>	<p>Delivery of Absentee Ballots to County Clerk (No less than 46 days prior to General Election)</p> <p>Last day for board of ballot commissioners to have printed and delivered to County Clerk the official absent voters' ballots.</p> <p>- W. Va. Code § 3-3-11(a)</p>
<p>September 18 – October 28, 2020 (October 29, 2020 if applications are received on October 28, 2020)</p>	<p>Mail Absentee Ballots No later than the 46th day before the election, the County Clerks must mail absentee ballots to voters from whom they have received applications. Following the 46th day before the election, ballots must be sent within one day of receiving applications.</p> <p>Upon acceptance of a completed application, determine whether the requirements have been met and transmit absentee ballot(s), envelopes, instructions, and any other supplies required for voting the ballot. If determined the requirements have not been met, transmit balloting materials and give notice to the voter that the ballot will be provisional.</p>

<p>September 22, 2020 (Deadline, depending on date of appointment)</p>	<ul style="list-style-type: none"> - W. Va. Code § 3-3-5 <p>Notice Mailed to Election Officials Within 7 days following appointment, county commission notifies, by first-class mail, all election commissioners, poll clerks and alternates of their appointment, including a response form.</p>
<p>September 29, 2020 (Deadline, depending on date of appointment)</p>	<ul style="list-style-type: none"> - W. Va. Code § 3-1-30(h) <p>Election Officials Respond to Notification from County Clerk confirming ability to serve.</p> <p>When an election official or alternate fails to return the response notice (or otherwise confirm to the County Clerk his or her agreement to serve within the required time, the position shall be considered vacant and the County Clerk shall proceed to fill the vacancies within 14 days following the date of appointment.</p>
<p>October 1 – October 7, 2020</p>	<ul style="list-style-type: none"> - W. Va. Code § 3-1-30(i) <p>3rd Quarter Report (New) SB 622 is in effect June 7, 2019; this bill requires quarterly financial reports.</p> <p>Reports due on October 1, 2020 of each year and filed within 6 days thereafter</p> <p>This report covers transactions from July 1, 2020 through September 30, 2020.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-8-5, 3-8-5(b); - Code of State Rules (CSR) § 146-3-8 <p>Candidates, treasurers and financial agents submit reports to the Secretary of State, County Clerk or Municipal Recorder, determined by which office is sought. A detailed itemized statement is submitted setting forth all activity from the previous report or organization date.</p>

<p>October 4, 2020</p>	<p>Instructional Program for Election Officials Within 30 days prior to election, County Clerk conducts instructional program using training materials produced by Secretary of State, to all election officials, explaining and illustrating procedures for conducting elections, duties of the various election officials and methods of voting.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-46(c)
<p>October 7, 2020</p>	<p>Voter History After each primary, general, municipal or special election, the County Clerk shall enter the voting records into the statewide voter registration database within 120 days after the election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-18(e)
<p>October 8 – 14, 2020</p>	<p>Publish Sample Ballot for Early Voting Not more than 26 nor less than 20 days preceding the General Election, Ballot Commissioners publish sample official general ballot, nonpartisan candidates, and public questions as follows:</p> <ol style="list-style-type: none"> 1. For counties in which 2 or more qualified newspapers publish a daily newspaper, publish a Class I-0 legal advertisement in the 2 qualified daily newspapers of different political parties within the county having the largest circulation 2. For counties having no more than 1 daily newspaper, or having only 1 or more qualified weekly newspapers, publish sample as Class I legal advertisement in qualified newspaper having largest circulation <ul style="list-style-type: none"> - §§ 3-6-3, 59-3-1 <i>et seq.</i>
<p>October 13, 2020</p>	<p>Voter Registration Deadline Voter registration for an election shall close 21 days before the election, or on the 1st day thereafter which is <u>not</u> a Saturday, Sunday or legal holiday.</p> <p>Completed application of eligible voter for registration, transfer, change of political party or other change submitted by the close of voter registration will be effective for any subsequent election, if:</p> <ol style="list-style-type: none"> 1. Received at office of the County Clerk, no later than the hour of the close of registration; 2. Accepted by a designated agency or motor vehicle licensing office no later than the close of registration;

<p>October 14 – October 27, 2020</p>	<ol style="list-style-type: none"> 3. Accepted through a registration outreach program and received by the County Clerk no later than the close of registration; 4. Addressed to the appropriate County Clerk and postmarked by the postal service no later than the date of the close of registration; 5. Accepted through an approved electronic voter registration system and received no later than the close of business on the final day of registration; or 6. The verification notice mailed to the applicant is not returned as undeliverable <p>- W. Va. Code §§ 3-2-6</p> <p>Inspection of ballots, electronic poll books and vote recording devices. 1 inspection can be done for Early Voting and Election Day materials <i>or</i> they can be done separately if Election Day materials are not ready. <i>Note: Vote recording devices used for Early Voting may only be used on Election Day if they are retested.</i></p> <p>Preparation of materials is completed and Notification given to County Commission and Ballot Commissioners no later than 7 days before election (Early Voting = October 14; Election Day = October 27).</p> <p>Convene County Commissioners and Ballot Commissioners no later than 5 days before election. [Early Voting = October 16; Election Day = October 29).</p> <p>Class I-0 public notice regarding place and time of inspection is published no later than 3 days before inspection.</p> <p>- W. Va. Code §§3-4A-13, 59-3-1 <i>et seq.</i></p>
<p>October 14 –November 2, 2020</p>	<p>Authorized Late Voter Registration Accepted from Certain Uniformed and Overseas Voters Between the 20th day before the election and 1 day before the election, members of the uniformed services and overseas citizens whose employment supports national security, who have been discharged 60 days preceding an election, and spouses/dependents residing with said individuals, may register to vote in person at the County Clerk’s Office. Appropriate documentation/affidavit must be presented as required by law.</p> <p>- W. Va. Code § 3-2-6a; - CSR § 153-44-1 <i>et seq.</i></p>

<p>October 16, 2020</p>	<p>Accept Voter Registration Card by Mail without Postmark No later than 3 days following the close of registration is the last day an application for registration may be accepted if addressed to the appropriate County Clerk and received by mail with the postmark missing or illegible.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-6(b)(2)(A)
<p>October 19, 2020</p>	<p>Correct Incomplete Applications for Voter Registration County Clerk may correct applications for voter registration containing incomplete information if applicant provides the required information within 4 business days after the close of registration.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-6(b)(1)
<p>October 19 – October 23, 2020</p>	<p>General Report (New)</p> <p>SB 622 is in effect June 7, 2019; this bill requires all candidates participating in the general election to file the General Report in addition to all Quarterly Reports.</p> <p>Reports due on the 15th day preceding the general election and filed within 4 days thereafter</p> <p>This report covers transactions from October 1, 2020 through October 18, 2020.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-8-5, 3-8-5(b); - Code of State Rules (CSR) § 146-3-8
<p>October 21 – October 31, 2020</p>	<p>Early Voting in Person Conducted Beginning on the 13th day and continuing through the 3rd day before the election, voter may vote an early ballot at the county courthouse, an annex or a designated community voting location during normal business hours; additionally, early voting must be conducted between 9 a.m. and 5 p.m. on the last 2 Saturdays before the Primary Election.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-3
<p>October 27, 2020</p>	<p>Public Test of Tabulating Equipment 1 week prior to the start of the count of the votes, all automatic tabulating equipment must be tested to ascertain that it will accurately count the votes for all offices and on all measures.</p> <p>Notice must be provided <u>no more</u> than 2 weeks but <u>not less</u> than 48 hours before test by publication of Class I-0 legal</p>

<p>October 27 – November 2, 2020</p>	<p>advertisement. (Notice must be provided October 20 – November 1.)</p> <p>After processing pre-audited ballots, the County Commission certifies the equipment to be free from error as determined by the test. Testing material and certification is to be placed in a sealed container until the start of canvass.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-4A-26, 59-3-1 <i>et seq.</i> <p>Instructional Program Make-Up Session Within last 7 days before election, County Clerk conducts make-up session for election officials unable to attend regular session.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-1-46(c)
<p>October 27 – November 2, 2020</p>	<p>Publish Official List of Candidates or Sample Ballot for Election Day On the last day on which a newspaper is published immediately preceding the General Election, Ballot Commissioners publish the official list of candidates and issues, or the sample ballot, as follows:</p> <ol style="list-style-type: none"> 1. For counties in which 2 or more qualified newspapers publish a daily newspaper, publish as Class I-0 legal advertisement in the 2 qualified daily newspapers of different political parties within the county having the largest circulation; or 2. For counties having no more than 1 daily newspaper, or having only 1 or more qualified weekly newspapers, publish as Class I legal advertisement in qualified newspaper having largest circulation. <ul style="list-style-type: none"> - W. Va. Code § 3-6-3, 59-3-1 <i>et seq.</i>
<p>October 27 – Noon, November 3, 2020</p>	<p>Receive Requests for Emergency Absentee Ballot No earlier than 7 days preceding the election and no later than noon of Election Day, a voter or a member of the voter’s immediate family (or in counties with an extended policy, a staff member of a nursing home) may request a ballot for voting emergency absentee. A voter may be eligible to receive an emergency absentee ballot in the following circumstances:</p> <ul style="list-style-type: none"> • Voter in the hospital on Election Day; • Replacement poll worker appointed after the period for Early Voting;

<p>October 28, 2020</p>	<ul style="list-style-type: none"> • Voter in licensed health care facilities within an adjacent county or within 35 miles of the county seat (county policy required); • Voter in nursing home within the county if he or she has resided there for a period of less than 30 days (county policy required); or • Voter becomes confined, on or after the seventh day preceding an election, to a specific location within the county because of illness, injury, physical disability, or immobility due to advance age or other medical reason (county policy required). <p>- W. Va. Code §§ 3-3-1(c), 3-3-5c(d)</p> <p>Deadline for Absentee by Mail Application Not later than the 6th day preceding the election, last day to receive application for absentee ballot by mail. Ballot shall be mailed no later than following day.</p> <p>- W. Va. Code § 3-3-5(b)(1), 3-3-5(e)(1)</p>
<p>October 29, 2020 (By close of business at the filing office)</p>	<p>Write-In Candidate Filing Deadline in Case of Death of Candidate Vacancy occurs no earlier than 48 days (September 16) and no later than 5 days (October 29) before the General Election, the certificate shall be received no later than the close of business 5 days before the election, or the close of business on the day following the occurrence of the vacancy, whichever is later.</p> <p>Write-in candidates file a certificate of announcement to become certified write-in candidates in case of the death of a candidate.</p> <p>- W. Va. Code § 3-6-4a(c)(2)</p>
<p>October 31, 2020 (Deadline)</p>	<p>Deadline for Early Voting in Person Last day to vote an early ballot in person (occurs on a Saturday)</p> <p>- W. Va. Code § 3-3-3</p>
<p>November 2, 2020</p>	<p>Deadline to Hand-Deliver Absentee Ballots to the County Clerk’s Office The last day for County Clerk to accept hand delivered absentee ballot by mail is no later than 1 day preceding the election. No person may personally deliver more than 2 absentee ballots in any election.</p> <p>- W. Va. Code § 3-3-5(k)</p>
<p>November 2, 2020</p>	<p>Election Commissioners Receive Election Supplies No later than 1 day before General Election, the last day on which election commissioner(s) of each precinct, as designated by</p>

<p>November 3, 2020</p>	<p>A voter whose legal name has changed may update their registration by filing an affidavit of change of legal name at the polling place on Election Day without using a provisional ballot.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-2-22(d)(2) <p>Post Summary Returns Upon completion of the count, the returns are to be open to the public by posting a summary of the returns as have been tabulated at the central counting center.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-4A-27(e)
<p>November 4, 2020</p>	<p>Absentee Ballots Without Postmark Accepted 1 day after Election Day, absentee ballots without postmark are accepted if delivered by the US Postal Service or other express shipping service and received by the County Clerk, no later than the day after Election Day. (Does not apply to UOCAVA ballots.)</p> <ul style="list-style-type: none"> - W. Va. Code § 3-3-5(g)(1)
<p>November 9, 2020</p>	<p>Absentee Ballots Postmarked by Election Day Accepted No later than the hour at which the board of canvassers convenes to begin the canvass, absentee ballots by mail shall be accepted if ballot bears a postmark of the US Postal Service dated no later than Election Day and the ballot is received by the County Clerk, within the required time. Absentee ballots from military are accepted without postmark if received prior to start of canvass.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-3-5(g)(2) 3-5-17
<p>November 9, 2020</p>	<p>Canvass Returns On the 5th day, excluding Sundays, after General Election, County Commission, as the board of canvassers, meets to canvass General Election returns. The board of canvassers shall meet from day to day adjourning no longer than is absolutely necessary until the canvass is complete.</p>

<p>Deadline depends on date canvass is completed in all jurisdictions.</p>	<p>Declare Results Upon completion of canvass, publicly declare the election results and wait 48 hours (do not count Saturdays, Sundays and legal holidays) to allow for recount requests to be submitted.</p> <p>Multi-county races must wait until the last county declares results for the 48 hours to begin. Notice will be provided by the Elections Division on the start times.</p>
<p>Deadline depends on date results are declared</p>	<p>Recount Recount request must be made within 48 hours of the declaration of results. If a candidate is on the ballot in more than one county, the 48 hours begins after the final county’s canvassing board declares the results. A candidate may demand a recount.</p> <p>Note: If a recount has been demanded, the board of canvassers shall have 48 hours in which to send notice to all candidates who filed for the office in which a recount has been demanded. Such recount shall be set for no sooner than 3 days after serving the notice. After the notice is served, candidates so served shall then have an additional 24 hours in which to demand a recount of precincts not requested to be recounted by candidate originally requesting recount. The recount is open to the public. However, only those authorized may handle election materials.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-6-9
<p>Deadline depends on date results are declared and recounts</p>	<p>Certify Results 48 hours after the declaration, CERTIFY election results in races where a recount was NOT requested.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-5-17, 3-6-9, 3-6-10
<p>Deadline depends on date election results are declared</p>	<p>Contest General Election Within 10 days after the results of election are <u>certified</u>, candidate may contest the General Election before the County Commission in which any general procedures, practices or results may be in issue. A contest is a legal proceeding. Legal counsel <i>should</i> (but not mandatorily) be obtained by parties involved.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-7-1, 3-7-6

<p>December 3, 2020 (Deadline)</p>	<p>Transmit Certificates of Results The certification of the results of the General Election should be sent to Secretary of State as soon as possible but no later than 30 days after the primary.</p> <p>Board of canvassers transmits original certificates of election results for all offices to be filled by the voters of more than one county to the Secretary of State, along with copies of certificates of results for county candidates</p> <ul style="list-style-type: none"> - W. Va. Code § 3-6-11
<p>January 1 – January 7, 2021</p>	<p>4th Quarter Report (New) SB 622 is in effect June 7, 2019; this bill requires quarterly reports.</p> <p>Reports due on January 1 of each year and filed within 6 days thereafter</p> <p>This report covers transactions from October 19, 2020 through December 31, 2020.</p> <ul style="list-style-type: none"> - W. Va. Code §§ 3-8-5, 3-8-5(b); - Code of State Rules (CSR) § 146-3-8 <p>Candidates, treasurers and financial agents submit reports to the Secretary of State, County Clerk or Municipal Recorder, determined by which office is sought. A detailed itemized statement is submitted setting forth all activity from the previous report or organization date.</p>
<p>January 4, 2021 (NOTE: the statutory deadline is January 2, which falls on a Saturday. The next business day is January 4 per W. Va. Code § 2-2-2.)</p>	<p>Report Failure to File Financial Statement to Prosecuting Attorney (60 days after General Election)</p> <p>Secretary of State and County Clerk give notice of any failure of candidates, agents or treasurers to file required, detailed, itemized financial statements of transactions connected with General Election to Prosecuting Attorney where candidate resides.</p> <ul style="list-style-type: none"> - W. Va. Code § 3-8-7(a)

March 3, 2021	<p>Voter History (Within 120 days following General Election)</p> <p>After each primary, general, municipal or special election, the County Clerk shall enter the voting records into the statewide voter registration database.</p> <p>- W. Va. Code § 3-2-18(e)</p>
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